

**IN THE CLAIMS:**

Please amend the claims as follows:

Claim 1 (Previously Presented): A stapler comprising:

a strike out passage, that a staple is supplied thereto, for guiding the staple to sheets to be bound, wherein the staple is formed with a pair of staple legs to bend in right angle from both ends of a crown portion, the staple legs having a base portion nearest to the crown portion and a distal end portion opposite from the base portion;

a driver plate for striking out the staple supplied into the strike out passage to the sheets;

a clincher mechanism arranged to be opposed to the driver plate for bending the staple legs penetrated through the sheets along a rear face of the sheets; and

a guide member with substantially parallel lateral sides for supporting an inner surface of the base portion of the staple legs during a process that the staple legs of the staple are penetrating the sheets.

Claim 2 (Currently Amended): The stapler according to Claim 1, wherein the guide member includes a guide piece disposed in the strike out passage and having an inclined face continuously formed to the guide piece; and

wherein the guide member is moved in a direction of ~~discharge~~ transverse from the strike out passage by bringing the inclined face into contact with the crown portion of the staple.

Claim 3 (Currently Amended): A cartridge containing a ~~number~~ plurality of staples to be mounted in a stapler, the cartridge comprising:

an enclosure including at least 4 sides that holds the plurality of staples for stapling,

~~wherein the stapler comprises a driver plate for striking out the staple supplied into the strike out passage to the sheets, and a clincher mechanism arranged to be opposed to the driver plate for bending the staple legs penetrated through the sheets along a rear face of the sheets, the staple legs having a base portion nearest to a crown portion and a distal end portion opposite from the base portion,~~

~~wherein the cartridge includes a strike out passage, for the discharge of staples, supplied with the staple formed with a pair of staple legs to bend in a right angle from both ends of the crown portion and for guiding the staple to sheets to be bound, arranged at a front end face of the cartridge, and~~

~~a guide member partially overlapping the strike out passage and movable in a direction away from the front end face,~~

~~wherein the guide member with has substantially parallel lateral sides for supporting an inner surface of the staple along a portion of its staple legs ~~the base portion of the staple legs~~ during a process that the staple legs are penetrating the a plurality of sheets.~~

Claim 4 (Previously Presented): The cartridge according to Claim 3, wherein the guide member is integrally molded with the cartridge.

Claim 5 (Currently Amended): The cartridge according to Claim 3, wherein the guide member includes a guide piece disposed in the strike out passage and having an inclined face continuously formed to the guide piece; and

wherein the guide member is moved in a direction away of discharge from the front end face and the strike out passage by bringing the inclined face into contact with ~~the~~ a crown portion of the staple.

Claim 6 (Cancelled).

Claim 7 (Cancelled).